

APPEAL NO. 040379
FILED APRIL 6, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on January 20, 2004. The hearing officer determined that appellant (claimant) did not sustain an injury to his low back in addition to his right shoulder and neck on _____. Claimant appealed these determinations on sufficiency grounds. Respondent (carrier) responded that the Appeals Panel should affirm the hearing officer's decision and order.

DECISION

We affirm.

Claimant complains that the hearing officer misstated the facts. In August 1991 the designated doctor signed a report and included under the diagnosis that claimant had lumbar spasms. The hearing officer reviewed the reports and determined what the facts established. Claimant has not shown reversible error from any misstatement of the facts in this case. We have reviewed the complained-of determination and conclude that the issue involved a fact question for the hearing officer. We conclude that the hearing officer's determination is supported by the record and is not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

We affirm the hearing officer's decision and order.

According to information provided by carrier, the true corporate name of the insurance carrier is **LIBERTY MUTUAL FIRE INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Judy L. S. Barnes
Appeals Judge

CONCUR:

Chris Cowan
Appeals Judge

Gary L. Kilgore
Appeals Judge